

Dear _____

You are hereby officially notified pursuant to I.C. 35-43-5-5 that your check dated _____, on the _____, in the amount of \$ _____, and made payable to _____, has been returned Insufficient Funds or account closed.

The aforementioned Indiana Code section provides in pertinent part that:

“A person who knowingly or intentionally issues or delivers a check, draft or order on a credit institution for the payment of or to acquire money or other property, knowing that it will not be paid or honored by the credit institution upon presentment in the usual course of business, commits Check Deception, a Class A Misdemeanor.”

“A person who:

(1) has an account with a credit institution but does not have sufficient funds in that account; and

(2) issues or delivers a check, draft, or order for payment on that credit institution

does not commit a crime under (this statute) if he pays the payee or holder the amount due, together with the protest fees and any service charge, which may not exceed the greater of twenty (\$20.00) dollars, or 5% (but not more than two hundred fifty (\$250.00) dollars), of the amount due, which may be charged by the payee or holder, within ten (10) days after the date of mailing by the payee or holder of notice to the person that the check, draft or order has not been paid by credit institution

The penalty for a Class A Misdemeanor in this State is defined pursuant to I.C. 35-50-3-2 as follows:

“A person who commits a Class A Misdemeanor shall be imprisoned for a fixed term of not more than one (1) year; in addition, he/she may be fined not more than five thousand (\$5,000.00) dollars.”

The purpose of this letter is to advise you that payment must be made on this check within ten (10) days upon receipt of this letter or this case will be turned over to the Bartholomew County Prosecutor for criminal prosecution.

Sincerely,